

# Order

Michigan Supreme Court  
Lansing, Michigan

September 24, 2008

Clifford W. Taylor,  
Chief Justice

136886

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

v

SC: 136886  
COA: 277621  
Macomb CC: 2006-000775-FC

ANDREW PAUL COLBERT,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the June 26, 2008 judgment of the Court of Appeals is considered and, in lieu of granting leave to appeal, we REVERSE that portion of the Court of Appeals opinion and the accompanying order remanding this case to the Macomb Circuit Court for further proceedings, for the reasons stated in the Court of Appeals dissenting opinion.

KELLY, J., would deny leave to appeal.



0917

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 24, 2008

*Corbin R. Davis*

Clerk